

1473 Rec'd PCT/PTO 23 JAN 2006

**Response to Missing  
Requirements Under  
35 USC § 371**

Attorney Docket No.: DAIRY88.007APC  
First Named Inventor: Tim Carroll  
Int'l Application No.: PCT/NZ03/000224  
US Application No.: 10/530,536  
Entered National Phase: April 6, 2005  
Title: PRESSURE TREATING FOOD WITH REDUCE  
SPOILAGE

#5

**Direct all correspondence to Customer No.: 20995**

Date: January 17, 2006

Page 1 of 1

**Mail Stop PCT**

United States Patent and Trademark Office  
PO Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence and all marked attachments  
are being deposited with the United States Postal Service as first-class  
mail in an envelope addressed to: United States Patent and Trademark  
Office, PO Box 1450, Alexandria, VA 22313-1450, on

January 17, 2006

(Date)



Andrew N. Merickel, Reg. No. 53,317

Applicant herewith submits to the US Designated/Elected Office (DO/EO/US) the following items and  
other information:

- (X) This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC  
371.
- (X) Copy of the Notification of Missing Requirements under 35 USC 371 dated August 29, 2005.
- (X) An Oath or Declaration signed by the inventors (35 USC 371(c)(4)) in 3 pages.
- (X) Return prepaid postcard.

**FILING FEES NOT YET PAID:**

FEE CALCULATION				
FEE TYPE		LARGE FEE	CALCULATION	TOTAL
Late Oath/Decl.	37 CFR § 1.492(h)	1617 (\$130)		\$130
3 Month Extension	37 CFR § 1.17(a)(3)	1253 (\$1,020)		\$1,020
			<b>SUB TOTAL</b>	\$1,150
			<b>TOTAL FEE DUE</b>	<b>\$1,150</b>

- (X) A check in the amount of **\$1,150** is enclosed to cover the above fees.

The Commissioner is hereby authorized to charge any additional fees which may be required, or  
credit any overpayment to Deposit Account No. 11-1410.

01/26/2006 TXRTPRGN 00000083 10530533

01 FC:1617 130.00 CP

01/26/2006 TXRTPRGN 00000083 10530533

02 FC:1253 1020.00 CP



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DAIRY88.007APC 4  
TFS/ANM

## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/530,536	Tim Carroll	DAIRY88.07PC

INTERNATIONAL APPLICATION NO.
PCT/NZ03/00224

20995  
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I.A. FILING DATE	PRIORITY DATE
10/08/2003	10/08/2002

CONFIRMATION NO. 4719  
371 FORMALITIES LETTER  
\*OC000000016886768\*  
\*OC000000016886768\*

Date Mailed: 08/29/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/06/2005
- Copy of the International Search Report filed on 04/06/2005
- Preliminary Amendments filed on 04/06/2005
- Information Disclosure Statements filed on 04/06/2005
- U.S. Basic National Fees filed on 04/06/2005
- Priority Documents filed on 04/06/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/530,536	PCT/NZ03/00224	DAIRY88.07PC

FORM PCT/DO/EO/905 (371 Formalities Notice)